App. No. 09/785,861
Amendment Dated: August 23, 2005
Reply to Office Action of May 10, 2005

REMARKS/ARGUMENTS

In the Office Action mailed May 10, 2005, an objection was made against claims 9, 16, and 30. Claims 1-30 were rejected under 35 U.S.C § 112, second paragraph. Claims 1-30 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over a variety of combined references. The specification is amended to correct certain informalities in a paragraph. Independent claims 1, 10, and 22 are canceled. Independent claims 31- 33 are added. Claims 9, 16, 29, and 30 are amended to correct informalities in the claims. Claims 2-6, 11, 13, 17, 23-25, and 27 are amended to correct the dependency of the claims for the new claim dependencies to independent claims 31-33. Claims 2-9, 11-21, and 23-33 remain pending. In light of the amendments and the arguments provided below, Applicant respectfully requests reconsideration and allowance of the pending claims.

I.   Claim Objections

Claims 9, 16, and 30 are objected to for being incomplete sentences. Applicant has amended claims 9, 16, and 30 to correct these informalities. Claim 29 has also been amended to correct a similar informality. Reconsideration of claims 9, 16, 29, and 30 is therefore respectfully requested.

II.   Rejections under 35 U.S.C. 112, Second Paragraph

Claims 1-30 are rejected under 35 U.S.C § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which applicant regards as the invention. Claims 1, 10, and 22 are canceled. Claims 31-33 are provided in place of claims 1, 10, and 22 to better clarify the subject matter that the applicant regards as the invention. No new matter has been added, and the claims have not been replaced to further limit the scope of the claimed invention. With independent claims 1, 10, and 22 canceled, Applicant respectfully requests reconsideration of the remaining pending claims.

III. Rejections under 35 U.S.C. 103(a)

1.) Claims 1-7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Aravamudhan et al., U.S. Patent No. 6,563,919 ["Aravamudhan"], in view of Mendez et al., U.S. Patent No. 6,023,708 ["Mendez"]. Applicant respectfully addresses this rejection below.

Independent claim 1 has been canceled. Independent claim 31 is provided in place of independent claim 1 to better clarify the subject matter the Applicant regards as the invention. First, claim 31 recites "a transport component", "a messaging component", "a data store", and "a storage component" all "included in the mobile device". In contrast, the unified mobility manager (UMM) (30) of Aravamudhan is shown in Fig. 2 as a separate module from the various mobile devices. Aravamudhan additionally states, "The present invention is a system and method for unifying the implementation and processing of mobile communications by <u>various mobile devices</u> and units and terminals ("mobile systems") that operate on various mobile communication protocols." (Aravamudhan column 6, lines 11-15) (*emphasis added*) Since the claimed invention relates to communication within a mobile device, while Aravamudhan is directed to communication between mobile devices, Aravamudhan cannot teach or suggest the limitations of claim 31.

Similarly, Mendez also shows that the remote terminal (102) in Fig. 1 only includes the stored workspace data (116). The global translator (122) is included separately on global server 106. Accordingly, Mendez is also directed to communication between the remote terminal (102) and other devices, rather than communication with the remote terminal (102). Therefore, Mendez also does not teach or suggest the limitations of claim 31.

Additionally, claim 31 recites that "the first format corresponds to a standard format for distribution of the message" and "translating the message from the first format to second format for storage, wherein the second format corresponds to a native storage format of the mobile device and is different from the first format and the transport protocol". In contrast, Aravamudhan discloses only that the information used by the UMM is in a normalized format, and that the information corresponds to each type of communication protocol. (see

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Aravamudhan column 7, line 46 – column 8, line 65) Similarly, Mendez teaches maintaining workspace data in a global format that is easily translatable to and from storage formats A and B. (see Mendez column 4, lines 11-22) Accordingly, the combination of Aravamudhan and Mendez do not teach or suggest the above-recites claim limitations. Neither reference teaches a "first format for distribution of the message in a mobile device". Also, neither reference teaches a "second format...that is different from the first format and the transport protocol". Accordingly, claim 31 is patentable over Aravamudhan in view of Mendez.

With regard to claims 2-7, the dependency of claims 2-7 are changed to depend from claim 31. Therefore, claims 2-7 are patentable over Aravamudhan in view of Mendez for at least the reasons stated above with regard to claim 31.

2.) Claims 8 and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Aravamudhan, in view of Mendez, in further view of Buckley et al., U.S. Patent No. 5,848,415 ["Buckley"]. Applicant respectfully addresses this rejection below.

The rejections under 35 U.S.C. 103(a) of claims 8 and 9 are predicated on the above-stated 35 U.S.C. 103(a) rejections of claims 1-6. Independent claim 31 has replaced independent claim 1. Claims 8 and 9 are therefore dependent from claim 31. As stated above, claim 31 is clearly patentable under 35 U.S.C. 103(a) over Aravamudhan in view of Mendez, and therefore, the Office Action's 35 U.S.C. 103(a) assertions against claims 8 and 9 also fail. The addition of Buckley does not cure these deficiencies of Aravamudhan and Mendez to teach the claimed invention. Buckley instead teaches an extension to the SMTP protocol that takes a message formatted according to a defined internet protocol standard and wrapping the message in an envelope for sending to servers. (Buckley, Abstract, lines 1-5) Buckley does not teach distributing a message within a mobile device. Therefore, claims 8 and 9 are patentable over Aravamudhan, in view of Mendez, in further view of Buckley for at least the reasons stated above with regard to claim 31.

3.)   Claims 10-17 and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Aravamudhan, in view of Mendez, in further view of Guck (U.S. Patent No. 5,848,415). Applicant respectfully addresses this rejection below.

Independent claim 10 has been canceled. Independent claim 32 is provided in place of independent claim 10 to better clarify the subject matter the Applicant regards as the invention. Claim 32 recites "distributing the message within the mobile device according to a first format". As stated above with regard claim 31, the disclosures of Aravamudhan and Mendez do not teach or suggest distributing a message within a mobile device. (see Aravamudhan Fig. 2, Mendez Fig. 1) Guck also does not teach distribution of a message within a mobile device. Instead Guck teaches storing authored information in a centralized server, and dynamically converting the information as needed for the requirements of a specific recipient that is requesting the information from the server. (Guck column 6, lines 46-51)

Additionally, claim 32 recites, "a first format for distribution of the message in the mobile device that is different from the transport protocol" and "translating the message from the first format to second format for storage, wherein the second format corresponds to a native storage format of the mobile device and is different from the first format and the transport protocol". These limitations are similar to the limitations cited above for claim 31. Accordingly, the combination of Aravamudhan and Mendez also do not teach or suggest the above-recites claim 32 limitations for at least the reasons stated above with regard to claim 31. Adding Guck to the combination does not cure the deficiency. Guck teaches a server that converts data into a format that correspond with the requester's protocol and available format. (Guck column 4, lines 34-44) Guck does not teach or suggest a "first format for distribution of the message in the mobile device". Guck also does not teach or suggest "a second format correspond(ing) to a native storage format of the mobile device that is different from the first format and the transport protocol." Accordingly, claim 32 is patentable over Aravamudhan in view of Mendez, in further view of Guck.

With regard to claims 11-17 and 19, the dependency of claims 11-17 and 19 are changed to depend from claim 32. Therefore, claims 11-17 and 19 are patentable over

Aravamudhan in view of Mendez, in further view of Guck for at least the reasons stated above with regard to claim 32.

4.)   Claim 18 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Aravamudhan in view of Mendez, and further in view of Miller et al., U.S. Patent No. 6,615,241 ["Miller"]. Applicant respectfully addresses this rejection below.

The rejection under 35 U.S.C. 103(a) of claim 18 is predicated on the above-stated 35 U.S.C. 103(a) rejections of claims 10-17 and 19. Independent claim 32 has replaced independent claim 10. Claim 18 is therefore dependent from claim 32. As stated above, claim 32 is clearly patentable under 35 U.S.C. 103(a) over Aravamudhan in view of Mendez, in further view of Guck, and therefore, the Office Action's 35 U.S.C. 103(a) assertion against claim 18 also fails. The addition of Miller does not cure these deficiencies of Aravamudhan and Mendez to teach the claimed invention. Furthermore, Miller's table (Fig. 5) pointed to by the Office Action does not correspond to a message folder as recited in claim 18. The table in Miller corresponds to a summary of e-mail not yet responded to by the user (e.g., an inbox). (Miller column 9, lines 40-50). The other recitations of Miller provided by the Office Action, corresponds to a message object. (Miller column 11, lines 32-37, and column 15, lines 17-62) The message object recitations are completely unrelated to the table recitation. There is nothing in Miller that even suggests the message object's properties are stored in table form corresponding to a message folder as shown in FIGURE 3 (e.g., 311 and 306 respectively) of the claimed invention. Therefore, claim 18 is patentable over Aravamudhan, in view of Mendez, in further view of Miller.

5.)   Claims 20 and 21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Aravamudhan, Mendez and Guck, in view of Peters et al. (U.S. Patent No. 6,292,795). Applicant respectfully addresses this rejection below.

The rejections under 35 U.S.C. 103(a) of claims 20 and 21 are predicated on the above-stated 35 U.S.C. 103(a) rejections of claims 10-17 and 19. Independent claim 32 has replaced independent claim 10. Claims 20 and 21 are therefore dependent from claim 32. As stated

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above, claim 32 is clearly patentable under 35 U.S.C. 103(a) over Aravamudhan in view of Mendez, in further view of Guck, and therefore, the Office Action's 35 U.S.C. 103(a) assertions against claims 20 and 21 also fail. Furthermore, the addition of Peters moves the combination of references no closer in teaching or suggesting the limitations of claim 32. There is also no suggestion or motivation to combine Peters with the Aravamudhan and Mendez that is provided in the references. It is not enough to provide such motivation after the fact, without pointing out where this motivation to combine the references is included within the references. Furthermore, Peters teach away from the claimed invention. Peters recites, that "the directory only needs to be extended when a hash table exceeds it maximum capacity." (Peters column 5, lines 6-8) In contrast, the present invention recites providing the overflow for "properties that are too large to be stored in the message property table." Accordingly, a property of the claimed invention may be placed in the overflow prior to the table reaching its maximum capacity if the property is too large. This is completely at odds with the above-cited statement in Peters. Claim 21 is dependent on claim 20. Therefore, claims 20 and 21 are patentable over Aravamudhan, Mendez and Guck, in view of Peters.

6.)   Claims 22, 23, and 25-30 are rejected under 35 U.S.C. § 103(a) as being anticipated by Guck in view of Mendez. Applicant respectfully addresses this rejection below.

Independent claim 22 has been canceled. Independent claim 33 is provided in place of independent claim 22 to better clarify the subject matter the Applicant regards as the invention. Claim 33 recites "storing a message in a data store according to a native storage format for the mobile device", "translating the retrieved message to a standard distribution format different from the native storage format" and "distributing the message within the mobile device according to the standard distribution format".

As stated above with regard claims 31 and 32, Guck and Mendez also do not teach or suggest these limitations. Because the combination of Guck and Mendez fails to teach or suggest distributing a message within a mobile device, Claim 22 is patentable over Guck in view of Mendez.

With regard to claims 23 and 25-30, the dependency of claims 23 and 25-30 are changed to depend from claim 33. Therefore, claims 23 and 25-30 are patentable over Guck in view of Mendez for at least the reasons stated above with regard to claim 33.

7.) Claim 24 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Guck and Mendez, as applied to claim 22, in further view of Miller. Applicant respectfully addresses this rejection below.

The rejection under 35 U.S.C. 103(a) of claim 24 is predicated on the above-stated 35 U.S.C. 103(a) rejections of claims 22, 23 and 25-30. Independent claim 33 has replaced independent claim 22. Claim 24 is therefore dependent from claim 33. As stated above, claim 33 is clearly patentable under 35 U.S.C. 103(a) over Guck in view of Mendez, and therefore, the Office Action's 35 U.S.C. 103(a) assertion against claim 24 also fails. The addition of Miller does not cure these deficiencies of Aravamudhan and Mendez to teach the claimed invention. Furthermore, as stated above with regard to claim 18, Miller's table (Fig. 5) pointed to by the Office Action does not correspond to a message folder as recited in claim 24. Therefore, claim 24 is also patentable over Guck and Mendez, in further view of Miller.

In view of the foregoing amendments and remarks, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the applicant at the telephone number provided below.

Respectfully submitted,

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